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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: October 17, 2005 Name: John C. Freeman

Signature: John C. Freeman

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Robert M. Setbacken et al.

Appln. No.: 10/829,546

Filed: April 22, 2004

For: POSITIONAL ENCODER ASSEMBLY

Attorney Docket No: 8371/13

Examiner: Monbleau, D.N.

Art Unit: 2878

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Response to Restriction Requirement.
☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

October 17, 2005
Date

John C. Freeman
John C. Freeman, Esq. (Reg. No. 34,483)



I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 17, 2005.

Name of Registered Representative:

John C. Freeman
John C. Freeman, Reg. No. 34,483

October 17, 2005
Date of Signature

PATENT CASE NO. 8371/13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:)
)
Robert M. Setbacken et al.)
) Group Art Unit: 2878
Serial No.: 10/829,546)
) Examiner: Monbleau, Davienne N.
Filed: April 22, 2004)
)
For: POSITIONAL ENCODER)
ASSEMBLY)

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Dear Sir:

This paper is in response to the Restriction Requirement mailed on September 15, 2005.

In the Restriction Requirement, it was stated that the inventions of claims 1-14 and 27-46 directed to a positional encoder (Invention I) and claims 15-26 directed to a lead frame (Invention II) were distinct from one another. Applicants elect the invention of claims 1-14 and 27-46 (Invention I) with traverse since there would be a significant overlap in the searches for the separate inventions. Since there would be no undue burden on the Examiner to search both

inventions, the election requirement should be withdrawn.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John C. Freeman", written over a horizontal line.

John C. Freeman
Registration No. 34,483
Attorney for Applicants

BRINKS HOFER
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Dated: October 17, 2005